

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE PUBLIC HEARING
WEDNESDAY, AUGUST 10, 2016
6:00 P.M.**

The Board of Ada County Commissioners (Board) met this date in the Ada County Public Hearing Room of the Ada County Courthouse Complex. Staff members present: Mark Perfect, Brent Danielson and Diana Sanders, Development Services; and Ray Chacko, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner Jim Tibbs called the meeting to order at 6:00 p.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Jim Tibbs, Rick Yzaguirre and David L. Case were present.

III. IN THE MATTER OF CHANGES TO THE AGENDA:

There were no changes to the agenda.

IV. IN THE MATTER OF UNFINISHED BUSINESS:

ACTION: D. CASE MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

1. **201600765-SN-V, SUPERIOR SIGNS:** A request for a variance to allow a flashing or animated sign in an RSW zone and a sign permit. The property contains 9.187 acres and is located at 3755 S. Cloverdale Rd., Boise, ID 83709 in Section 28, T. 3N, R. 1E (*Tabled from 7/13/16 for Revised Findings of Fact; Public Hearing Closed*)

D. Sanders stated the Findings of Fact are ready for the Board's approval.

D. Case stated he will be abstaining because he was not present at the July 13, 2016, hearing.

ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201600765-SN-V, SUPERIOR SIGNS BASED ON THE INFORMATION PROVIDED BY STAFF. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, ABSTAIN. THE MOTION CARRIED UNANIMOUSLY.

2. **201600361-A; BOISE CITY, GREAT OLD BROADS FOR WILDERNESS, AND ADA COUNTY FISH & GAME LEAGUE:** An appeal from the City of Boise and a joint appeal from Great Old Broads for Wilderness and Ada County Fish & Game League. All appellants are appealing the Planning & Zoning Commission's decision to approve a conditional use and master site plan application for a private aircraft landing field (1,200 feet long & 40 feet wide) and a 3,600 square foot accessory structure. The accessory structure will be used as a shop and hangar. The property contains 149.43 acres and is located at E. Table Rock Rd., Boise, ID 83712 in Sections 7 and 8, T. 3N., R. 3E (*Tabled from 07/27/16; Public Hearing Closed*)

R. Yzaguirre stated he has reviewed all the information. He explained that he understands the need for a quick response time for fires and the availability of water supply and equipment in the foothills. He expressed concerns for fire risks, health and safety issues and possible adverse impact on surrounding properties. He stated that he feels if this gets approved it sets precedence for more airstrips.

D. Case stated he would be in opposition of the appeal based on private property rights and because of comments from Idaho Fish and Game regarding impacts on wildlife. He sympathized with the fire risk concerns, but stated he felt that there was not a 100 percent way to solve the problem. He questioned why the City of Boise was currently interested in the land when they refused to purchase it earlier.

J. Tibbs stated he reviewed all the information. He concluded the three main issues are fire, environmental and wildlife risks, and the impacts by each are low. He advised there are many allowable uses in the RP zoning, but he feels the foothills is not a good place for an airstrip. He advised that emails received after the July 27, 2016, were not considered because the record was closed on this application.

ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201600361-A; BOISE CITY, GREAT OLD BROADS FOR WILDERNESS, AND ADA COUNTY FISH & GAME LEAGUE; AND TABLE IT TO SEPTEMBER 14, 2016, FOR REVISED FINDINGS OF FACTS AND CONCLUSIONS OF LAW. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, NAY. THE MOTION CARRIED.

3. **201600245-A, GRAF LISA:** An appeal of the Planning & Zoning Commission's decision to approve a conditional use application to construct a 100 foot tall commercial cell tower and antenna structure with an equipment shelter. The property contains 1.912 acres and is located at 1670 E Amity Rd., Meridian, ID 83642 in Section 29, T. 3N, R. 1E (*Tabled from 07/13/16; Public Hearing Closed*)

R. Yzaguirre stated he is in support of the cell tower and believes it is a needed utility. He explained he lives near a cell tower and that it is not an issue for him.

D. Case advised he was not present at the hearing on July 13, 2016, but he did listen to the audio and reviewed the information from that meeting. He stated he disagreed with testimony that the Board already had their minds made up and explained the Board reviews all testimony and information before making a decision. He stated that internet and wireless services are a utility now and for the future, and he will be supporting the cell tower.

J. Tibbs concurred with D. Case and stated that decisions are not taken lightly. He explained both sides have important points. He thanked those who testified. He stated he believes this is not the right location for a cell tower and he will be supporting the appeal.

ACTION: R. YZAGUIRRE MOVED TO UPHOLD THE PLANNING AND ZONING COMMISSION'S APPROVAL AND DENY APPLICATION NO. 201600245-A, GRAF LISA; AND TABLE IT TO THE AUGUST 29, 2016, DEVELOPMENT SERVICES MEETING TO FINALIZE THE FINDINGS OF FACT AND CONCLUSIONS OF LAW. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, NAY. THE MOTION CARRIED.

V. IN THE MATTER OF NEW BUSINESS:

1. **201600477-V, CLEARY BUILDING CORP:** A variance to grant relief from a development standard for accessory structures; specifically to allow for an accessory structure to exceed 50% of the square footage of the footprint of the principal permitted dwelling or 1,500 square feet, whichever is less within the front yard. The structure is proposed to be 2,646 square feet for personal storage. The property contains 4.582 acres and is located at 670 W. River Heights Drive, Meridian, ID 83646 in Section 24, T. 4N., R. 1W

M. Perfect requested this application be tabled to August 18, 2016, to meet publication requirements.

D. Case inquired if Applicant was aware that the application was being tabled. M. Perfect affirmed.

ACTION: D. CASE MOVED TO TABLE APPLICATION NO. 201600477-V, CLEARY BUILDING CORP, TO AUGUST 18, 2016. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. **05010-S-TE, PEPPERTREE SUB NO. 5:** A second time extension for Peppertree Subdivision #5. The property contains 11.7 acres and is located at S. Valley Street south of W. La Grange Street and W. Allerton Street, Boise, ID 83709 in Section 34, T. 3N., R. 1E

J. Tibbs opened the public hearing.

D. Sanders presented the Staff report.

Applicant, Kent Brown, stated his name and address for the record. He explained the reason he is seeking a time extension is to allow the Bureau of Recreation to review their plans for two bridges.

J. Tibbs and D. Sanders discussed time extensions.

Millard Reid stated his name and address for the record. He stated he is opposed to one of Applicant's proposed stub connections.

Carrie Reid stated her name and address for the record. She reiterated M. Ried's testimony.

Applicant presented rebuttal testimony explaining the challenges of changing existing plans to accommodate requests to not connect the stubs.

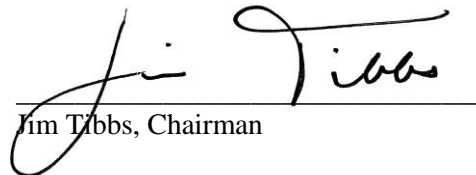
J. Tibbs closed the public hearing.

D. Case stated this is a request for a time extension and that he appreciates the testimony.

ACTION: D. CASE MOVED TO APPROVE APPLICATION NO. 05010-S-TE, PEPPERTREE SUB NO. 5, AND GRANT THE TIME EXTENSION BASED ON THE TESTIMONY AND FINDINGS OF FACT AND CONCLUSIONS OF LAW. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

VI. IN THE MATTER OF ADJOURNMENT:

There being no further business to come before the Board on this date, the meeting was adjourned at 6:32 p.m.



Jim Tibbs, Chairman

ATTEST:



Christopher D. Rich, Ada County Clerk